

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

\* \* \*

DAMON POWELL.

Case No. 2:18-cv-02378-JAD-CWH

Plaintiff,

## ORDER

V.

**STATE OF NEVADA, et al.,**

Defendants.

The court is in receipt of a complaint filed by plaintiff Damon Powell. (ECF No. 1-1.) Plaintiff's complaint does not include an application to proceed *in forma pauperis*, nor has plaintiff paid the \$400.00 filing fee. Plaintiff is advised that under 28 U.S.C. § 1914(a), a filing fee of \$350.00 is required to commence a civil action in district court. Additionally, based on the Judicial Conference Schedule of Fees, District Court Miscellaneous Fee Schedule, effective September 1, 2018, a \$50.00 administrative fee applies for filing a civil action in district court, making the total filing fee \$400.00. Under 28 U.S.C. § 1915(a)(1), the court may authorize the commencement of a civil case "without prepayment of fees and costs or security therefor." A prisoner seeking to commence a civil action without the prepayment of fees must complete an application to proceed *in forma pauperis* and attach (1) an inmate account statement for the past six months, and (2) a properly executed financial certificate. 28 U.S.C. § 1915(a)(2); LR LSR 1-2. Thus, plaintiff must either pay the \$400.00 filing fee or submit an application to proceed *in forma pauperis* within 30 days of this order.

IT IS THEREFORE ORDERED that plaintiff Powell must pay the \$400.00 filing fee or submit a complete application to proceed *in forma pauperis* within 30 days of this order.

DATED: December 19, 2018

  
C.W. HOFFMAN, JR.  
UNITED STATES MAGISTRATE JUDGE